

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHARLEEN BURGHART, Administrator of the  
Estate of Nicole Burghart; and LAWRENCE  
DOLAN, as Guardian ad Litem for H.G., a minor  
individual,

Plaintiff,

vs.

SOUTH CORRECTIONAL ENTITY  
("SCORE"), a Governmental Administrative  
Agency; CRYSTAL REHTOLC-CANTU, an  
individual, SCORE JOHN DOES 1-10;  
NAPHCARE, INC., an Alabama Corporation;  
ROBIN OLSEN, an individual; KERI JAMES,  
an individual; ANGELICA DELEON  
MCKEOUGH, an individual; NAPHCARE  
JOHN DOES 1-10; and TECHCARE JOHN  
DOE ENTITY,

Defendants.

NO. 2:22-cv-01248-TSZ

STIPULATED MOTION TO SEAL  
DOCUMENTS RELATED TO TRUST

NOTE ON MOTION CALENDAR:  
MAY 15, 2023

I. RELIEF REQUESTED AND STATEMENT OF FACTS

In Dkt. 41, the Court directed the proceeds from this lawsuit to a special needs trust for the benefit of H.G. The parties jointly request that this Court allow for all documents related to the trust including the petition for an order approving the proposed trust, the proposed trust, the

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RELATED TO TRUST - 1  
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1 actual trust, and all future accountings and other trust-related updates to the court be filed under  
 2 seal because they will inevitably include information related to the confidential settlement.  
 3 Moreover, such trust-related information will be part of the settlement guardian ad litem's  
 4 supplemental report, which the Court also ordered be filed under seal. Plaintiffs' counsel and  
 5 Defendants' counsel conferred on the mutual need for confidentiality numerous times including  
 6 but not limited to during a mediation conducted by phone and video on January 31, 2023, and  
 7 over the weekend of May 13-14, 2023, and all parties agree that the documents related to the  
 8 trust should remain under seal.  
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## 10 II. ISSUE PRESENTED

11 Whether this Court should allow documents related to the trust to remain under seal.

## 12 III. EVIDENCE RELIED UPON

13 Declaration of J. Nathan Bingham, Dkt. 45, and the court file.

## 14 IV. AUTHORITY

15 Pursuant to LCR 5(g)(2)(B), a party may file a document under seal at the same time or  
 16 after a motion to seal. Such a motion must include the basis for sealing and a certification that  
 17 the party has met and conferred with all other parties in an attempt to reach agreement on the  
 18 need to file the document under seal, to minimize the amount of material filed under seal, and to  
 19 explore other alternatives to filing under seal. LCR 5(g)(3)(A).  
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21 The privacy interests of the minor warrant the sealing of documents related to the trust. If  
 22 this motion is not granted, third parties will be able to gain access to private financial and health  
 23 information about the minor. Additionally, since mutual confidentiality is a condition of the  
 24 approved agreement, allowing the documents related to the trust to remain under seal, is the only  
 25 way to effectuate the agreement.  
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 27

V. CONCLUSION

For the aforementioned reasons, the parties respectfully request that this Court issue an order authorizing that documents related to the trust be filed under seal.

Respectfully submitted this 15<sup>th</sup> day of May, 2023.

KRUTCH LINDELL BINGHAM JONES,  
P.S.

KEATING, BUCKLIN &  
MCCORMACK, INC., P.S.

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The Honorable Thomas S. Zilly

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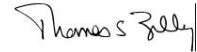
ORDER GRANTING  
STIPULATED MOTION TO SEAL  
DOCUMENTS RELATED TO THE  
TRUST

This matter comes before the Court on the parties' stipulated motion to seal documents related to the trust (Dkt. 44), based on the privacy interests of the parties and minor beneficiary H.G. The Court finds that compelling reasons exist to seal these documents. The trust and other related documents such as ongoing accountings and other updates will contain confidential information related to the minor's health and finances and the agreement that the parties intended

ORDER GRANTING STIPULATED MOTION TO SEAL  
DOCUMENTS RELATED TO THE TRUST - 1 NO. 2:22-  
cv-01248-TSZ

1 to be mutually confidential. The parties' and minor beneficiary's privacy interests outweigh the  
2 public's interest in access to these documents. Therefore, the Court GRANTS the motion to seal  
3 documents related to the trust.

4 DATED this 16th day of May, 2023.

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7 Honorable Thomas S. Zilly  
8 United States District Judge  
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